

REMARKS

Claims 1 through 19 remain pending in the present application. Claims 15 through 19 are allowed. Claim 1 has been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

The undersigned attorney would like to thank Examiner Goodman for the courtesies extended to him during the personal interview on August 19, 2004. At the interview, an agreement was reached. Above Claim 1 was presented. The Examiner agreed that the claim language appeared to overcome the applied prior art. However, the Examiner introduced other prior art, specifically Schmitz and Boyd which the Examiner indicated had a potential teaching of Claim 1. However, the Examiner noted that it appeared that there was sufficient differences and lack of motivation to apply the teachings of the newly cited references.

Rejection Under 35 U.S.C. §103

The Examiner has rejected Claims 1 through 3, 8 through 11, 13 and 14 as being unpatentable over Vannuvel in view of Grant. Also, the Examiner has rejected Claims 1 through 11, 13 and 14 as being unpatentable over Huang in view of Grant. The Examiner indicated, at the interview, that above amended Claim 1 overcame these rejections. At the interview, the Examiner drew Applicants' attention to U.S. Patent No. 6,138,364 to Schmitz and 5,092,045 to Boyd Jr., et al.

First, the Schmitz reference neither anticipates or renders the present invention obvious to those skilled in the art. The Schmitz reference illustrates a tool which includes a nosepiece which rotates with respect to the tool. As the nosepiece is rotated, the reciprocating shaft and blade are rotated together to move from position to position.

Thus, the engaging member is not rotated to change the blade orientation in the plane of the blade. The blade in the Schmitz reference is rigidly secured to the shaft as best illustrated in Figures 6 and 9. Accordingly, the blade is pinned and non-movable with respect to the shaft. Thus, the Schmitz reference fails to anticipate or render Applicants' invention obvious to those skilled in the art.

The Boyd, Jr. reference, relied on by the Examiner, likewise fails to disclose or suggest Applicants' invention. With respect to §102, the Boyd Jr. reference fails to disclose or suggest a saw blade in a reciprocating power tool such that a power tool shaft includes the blade. The Boyd, Jr. reference illustrates a mechanism for enabling movement of a blade of a knife. Thus, this reference should not anticipate Applicants' invention. With respect to §103, the Examiner would need to combine Boyd, Jr. with either Grant or Schmitz. Both Grant and Schmitz illustrate a reciprocating power tool which has a blade retaining mechanism, which blade is fixedly positioned in the retaining mechanism. There is no motivation or suggestion that these mechanisms would require or utilize a mechanism like that taught by Boyd, Jr. Further, there is no motivation or suggestion to modify Schmitz or Grant with the Boyd, Jr. reference since both Schmitz and Grant illustrate a mechanism which fixes the blade in the retaining mechanism and does not speak to a need to change this mechanism. Accordingly, the combination of Boyd, Jr. with either Grant or Schmitz would fail to disclose or suggest Applicants' invention.

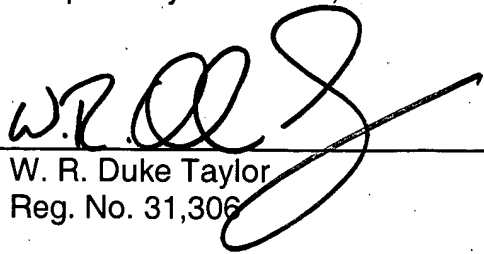
In light of the above amendments and remarks, Applicants submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: August 31, 2004

By

A handwritten signature in black ink, appearing to read 'W. R. Duke Taylor', is written over a horizontal line. The signature is stylized with large, flowing loops.

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